

**Exhibit A**

**Declaration of Michael Goldberg**

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b>	
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<i>Counsel to the Plan Administrator</i>	
In re:	Chapter 11
BED BATH & BEYOND INC., <i>et al.</i> , <sup>1</sup>	Case No. 23-13359 (VFP)
Debtors.	(Jointly Administered)

**DECLARATION OF PLAN ADMINISTRATOR MICHAEL GOLDBERG IN SUPPORT  
OF OBJECTION TO CLAIMS FILED BY MING CHE**

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Pursuant to 28 U.S.C. § 1746, I, Michael Goldberg, under penalty of perjury, declare as follows:

1. I am the Plan Administrator to 20230930-DK-Butterfly-1, Inc. (f/k/a/ Bed Bath & Beyond Inc.)<sup>2</sup> and 73 affiliated debtors (the “Debtors”). I give this declaration in support of the *Objection to Claims Filed by Ming Che* (the “Objection”).<sup>3</sup>

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<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

<sup>2</sup> Pursuant to the *Certificate of Amendment of the Certificate of Incorporation of Bed Bath & Beyond Inc.*, which was filed with the State of New York Department of State on September 21, 2023, the name of the entity formerly known as “Bed Bath & Beyond Inc.” was changed to *20230930-DK-Butterfly, Inc.* [Filing ID No. 230921001833 DOS ID 315602].

2. Except as otherwise indicated, the statements in this declaration are based on: (a) my personal knowledge of the Debtors' business operations since my appointment as Plan Administrator; (b) my review of relevant documents including the Disputed Claim and the Objection; (c) information provided to me by, or discussions with, members of my management team, other employees, or the Debtors' other advisors; and/or (d) my general experience and knowledge. I am authorized to submit this declaration. If called upon to testify, I can and will testify competently as to the facts set forth herein.

3. On April 23, 2023, (the "Petition Date"), each of the Debtors commenced with this Court voluntary cases under chapter 11 of the Bankruptcy Code. The Debtors continued to operate their businesses and manage their assets as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code until the Effective Date of the Plan (each, as defined below).

4. On September 14, 2023 (the "Confirmation Date"), the Court entered the *Findings of Fact, Conclusions of Law, and Order (I) Approving the Disclosure Statement on a Final Basis and (II) Confirming the Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates* [Docket No. 2172] (the "Confirmation Order"), confirming the *Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and Its Debtor Affiliates* [Docket No. 2160] (the "Plan").

5. On September 29, 2023, the effective date of the Plan occurred (the "Effective Date"). [Doc. No. 2311]

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<sup>3</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Objection or in the Plan.

6. On the Effective Date, I became the sole representative of the Debtors and assumed responsibility for, *inter alia*, resolving claims, performing claims reconciliation, and objecting to claims.

7. As of February 24, 2025, creditors have filed 20,621 proofs of claim against the Debtors (“Total Claims”), including over thirteen hundred (1,300) claims that assert administrative status pursuant to Bankruptcy Code section 503(b), over thirteen hundred (1,300) that assert priority pursuant to Bankruptcy Code section 507 and over six hundred (600) that alleged they are secured. The current amount of asserted Class 6 General Unsecured Claims is over \$3 billion.

8. In the ordinary course of business, including subsequent to the Petition Date, the Debtors maintained books and records (the “Books and Records”) that reflect, among other things, the nature and amount of the liabilities owed to their creditors. My professionals and I are in the process of reviewing, comparing, and reconciling proofs of claim (including any supporting documentation) with the Debtors’ Schedules and its Books and Records. This reconciliation process includes identifying particular Claims and categories of Claims that may be subject to objection.

9. As is further detailed on Exhibit 1 to this Declaration, Claimant filed 14 identical proofs of claim for \$865,000.00 each (\$3,350.00 of which Claimant alleges is entitled to priority pursuant to Bankruptcy Code section 507(a)(7)) for a total of \$12,110,000.00 (with \$46,900 alleged as priority). As an example, a true and correct copy of Claim 8343 (redacted to hide private financial and personal information) is attached as Exhibit 2.

10. The face of the Disputed Claims state that the basis is “Investment in 2024 Notes due Aug 2024”. The attachments to the Disputed Claims show: (a) an individual investment

account holding (as of May 31, 2023), a quantity of \$389,000 of Bed Bath & Beyond bonds (CUSIP 075896AA8) with a maturity date of 8/1/2024 and (b) a SEP-IRA account holding (as of May 31, 2023), a quantity of \$476,000 of Bed Bath & Beyond bonds (CUSIP 075896AA8) with a maturity date of 8/1/2024. The basis of the Disputed Claims is, therefore, what the Plan describes as the 2014 Senior Unsecured Notes, and more specifically, the 2024 Notes described below.

11. According to the Debtors' Disclosure Statement, pre-petition debtor Bed Bath & Beyond, Inc. (*and no other Debtor*) was obligated under the three tranches of unsecured debt securities: (a) **3.479% senior notes due 2024 (the "2024 Notes")**: On July 17, 2014, Bed Bath & Beyond issued \$300 million of 3.478% senior unsecured notes due August 1, 2024 (approximately \$215.4 million of which remains outstanding as of the Petition Date). (b) **4.915% senior notes due 2034 (the "2034 Notes")**: On July 17, 2014, Bed Bath & Beyond, Inc. issued \$300 million of 4.915% senior unsecured notes due August 1, 2034 (approximately \$209.7 million of which remained outstanding as of the Petition Date). (c) **5.165% senior notes due 2044 (the "2044 Notes")**: On July 17, 2014, Bed Bath & Beyond issued \$900 million of 5.165% senior unsecured notes due August 1, 2044 (approximately \$604.8 million of which remains outstanding as of the Petition Date). *See* Disclosure Statement [Doc. No. 1713 at 57],

12. The Plan defined the 2024 Notes, the 2034 Notes and the 2044 Notes as the "2014 Senior Unsecured Notes," and it defined the "2014 Senior Unsecured Notes Claim" as "any Claim derived from or based upon the 2014 Senior Unsecured Notes." Plan, Article I(A)(2).

13. The Plan unequivocally treats 2014 Senior Unsecured Notes Claims as Class 6 General Unsecured Claims. Plan, Article I(77).

14. The Disallowed Claims should be disallowed and expunged because none of the Debtors against which the Disallowed Claims are asserted are obligors on or guarantors of the 2014 Senior Unsecured Notes. The Reclassified Claim should be reclassified as a Class 6 General Unsecured Claim as required by the Plan.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information and belief.

Dated: March 17, 2025

/s/ Michael Goldberg

By: Michael Goldberg

In His Capacity as Plan Administrator to 20230930-DK-Butterfly-1, Inc. (f/k/a/ Bed Bath & Beyond Inc.) and 73 affiliated debtors

**Exhibit 1 to Exhibit A**

Claim Status Before Objection					Claim Status If Objection Granted				
#	Name of Claimant	Date Claim Filed	Claim Number	Debtor Name	Claim Nature	Claim Amount	Claim Nature	Claim Amount	Grounds for Objection
1	Che, Ming	6/17/2023	4443	BBBYCF LLC	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
2	Che, Ming	6/17/2023	4519	BBB Value Services Inc.	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
3	Che, Ming	6/17/2023	4520	BWAO LLC	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
4	Che, Ming	6/17/2023	4775	Chef C Holdings LLC	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
5	Che, Ming	6/17/2023	4841	BBBY Management Corporation	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
6	Che, Ming	6/17/2023	4938	Buy Buy Baby, Inc.	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
7	Che, Ming	6/17/2023	5173	Bed Bath & Beyond of California Limited Liability Company	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
8	Che, Ming	6/17/2023	6149	Decorist, LLC	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
9	Che, Ming	6/17/2023	6171	Harmon Stores, Inc.	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
10	Che, Ming	6/17/2023	6662	BBB Canada LP Inc.	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$3,350.00 \$861,650.00 \$865,000.00	Secured Admin 503(b)(9) Priority GUC Total	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.



11	Che, Ming	6/17/2023	7440	BBBYTF LLC	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$3,350.00 GUC \$861,650.00 Total \$865,000.00	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$0.00 GUC \$0.00 Total \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
12	Che, Ming	6/17/2023	7441	bed 'n bath Stores Inc.	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$3,350.00 GUC \$861,650.00 Total \$865,000.00	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$0.00 GUC \$0.00 Total \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.
13	Che, Ming	6/17/2023	8343	Bed Bath & Beyond Inc.	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$3,350.00 GUC \$861,650.00 Total \$865,000.00	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$0.00 GUC \$865,000.00 Total \$865,000.00	Claim is not entitled to priority status. The Plan Administrator asks the Court to reclassify the claim as a Class 6 General Unsecured Claim.
14	Che, Ming	6/17/2023	8492	Liberty Procurement Co. Inc.	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$3,350.00 GUC \$861,650.00 Total \$865,000.00	Secured \$0.00 Admin \$0.00 503(b)(9) \$0.00 Priority \$0.00 GUC \$0.00 Total \$0.00	This Debtor is not obligated on the 2014 Senior Unsecured Notes. The Plan Administrator asks the Court to disallow and expunge this claim.

**Exhibit 2 to Exhibit A**

**United States Bankruptcy Court, District of New Jersey (Newark)****Fill in this information to identify the case (Select only one Debtor per claim form):**

<input type="checkbox"/> Bed Bath & Beyond Inc. (Case No. 23-13359)	<input type="checkbox"/> Alamo Bed Bath & Beyond Inc. (Case No. 23-13360)	<input type="checkbox"/> BBB Canada LP Inc. (Case No. 23-13361)	<input type="checkbox"/> BBB Value Services Inc. (Case No. 23-13362)
<input type="checkbox"/> BBBY Management Corporation (Case No. 23-13363)	<input type="checkbox"/> BBBYCF LLC (Case No. 23-13364)	<input type="checkbox"/> BBBYTF LLC (Case No. 23-13365)	<input type="checkbox"/> Bed 'n bath Stores Inc. (Case No. 23-13396)
<input type="checkbox"/> Bed Bath & Beyond of Annapolis, Inc. (Case No. 23-13366)	<input type="checkbox"/> Bed Bath & Beyond of Arundel Inc. (Case No. 23-13367)	<input type="checkbox"/> Bed Bath & Beyond of Baton Rouge Inc. (Case No. 23-13368)	<input type="checkbox"/> Bed Bath & Beyond of Birmingham Inc. (Case No. 23-13369)
<input type="checkbox"/> Bed Bath & Beyond of Bridgewater Inc. (Case No. 23-13370)	<input type="checkbox"/> Bed Bath & Beyond of California Limited Liability Company (Case No. 23-13371)	<input type="checkbox"/> Bed Bath & Beyond of Davenport Inc. (Case No. 23-13372)	<input type="checkbox"/> Bed Bath & Beyond of East Hanover Inc. (Case No. 23-13373)
<input type="checkbox"/> Bed Bath & Beyond of Edgewater Inc. (Case No. 23-13374)	<input type="checkbox"/> Bed Bath & Beyond of Falls Church, Inc. (Case No. 23-13375)	<input type="checkbox"/> Bed Bath & Beyond of Fashion Center, Inc. (Case No. 23-13376)	<input type="checkbox"/> Bed Bath & Beyond of Frederick, Inc. (Case No. 23-13377)
<input type="checkbox"/> Bed Bath & Beyond of Gaithersburg Inc. (Case No. 23-13378)	<input type="checkbox"/> Bed Bath & Beyond of Gallery Place L.L.C. (Case No. 23-13379)	<input type="checkbox"/> Bed Bath & Beyond of Knoxville Inc. (Case No. 23-13380)	<input type="checkbox"/> Bed Bath & Beyond of Lexington Inc. (Case No. 23-13381)
<input type="checkbox"/> Bed Bath & Beyond of Lincoln Park Inc. (Case No. 23-13382)	<input type="checkbox"/> Bed Bath & Beyond of Louisville Inc. (Case No. 23-13383)	<input type="checkbox"/> Bed Bath & Beyond of Mandeville Inc. (Case No. 23-13384)	<input type="checkbox"/> Bed, Bath & Beyond of Manhattan, Inc. (Case No. 23-13397)
<input type="checkbox"/> Bed Bath & Beyond of Opry Inc. (Case No. 23-13385)	<input type="checkbox"/> Bed Bath & Beyond of Overland Park Inc. (Case No. 23-13386)	<input type="checkbox"/> Bed Bath & Beyond of Palm Desert Inc. (Case No. 23-13387)	<input type="checkbox"/> Bed Bath & Beyond of Paradise Valley Inc. (Case No. 23-13388)
<input type="checkbox"/> Bed Bath & Beyond of Pittsford Inc. (Case No. 23-13389)	<input type="checkbox"/> Bed Bath & Beyond of Portland Inc. (Case No. 23-13390)	<input type="checkbox"/> Bed Bath & Beyond of Rockford Inc. (Case No. 23-13391)	<input type="checkbox"/> Bed Bath & Beyond of Towson Inc. (Case No. 23-13392)
<input type="checkbox"/> Bed Bath & Beyond of Virginia Beach Inc. (Case No. 23-13393)	<input type="checkbox"/> Bed Bath & Beyond of Waldorf Inc. (Case No. 23-13394)	<input type="checkbox"/> Bed Bath & Beyond of Woodbridge Inc. (Case No. 23-13395)	<input type="checkbox"/> Buy Buy Baby of Rockville, Inc. (Case No. 23-13398)
<input type="checkbox"/> Buy Buy Baby of Totowa, Inc. (Case No. 23-13399)	<input type="checkbox"/> Buy Buy Baby, Inc. (Case No. 23-13400)	<input type="checkbox"/> BWA0 LLC (Case No. 23-13401)	<input type="checkbox"/> Chef C Holdings LLC (Case No. 23-13402)
<input type="checkbox"/> Decorist, LLC (Case No. 23-13403)	<input type="checkbox"/> Deerbrook Bed Bath & Beyond Inc. (Case No. 23-13404)	<input type="checkbox"/> Harmon of Brentwood, Inc. (Case No. 23-13405)	<input type="checkbox"/> Harmon of Caldwell, Inc. (Case No. 23-13406)
<input type="checkbox"/> Harmon of Carlstadt, Inc. (Case No. 23-13407)	<input type="checkbox"/> Harmon of Franklin, Inc. (Case No. 23-13408)	<input type="checkbox"/> Harmon of Greenbrook II, Inc. (Case No. 23-13409)	<input type="checkbox"/> Harmon of Hackensack, Inc. (Case No. 23-13410)
<input type="checkbox"/> Harmon of Hanover, Inc. (Case No. 23-13411)	<input type="checkbox"/> Harmon of Hartsdale, Inc. (Case No. 23-13412)	<input type="checkbox"/> Harmon of Manalapan, Inc. (Case No. 23-13413)	<input type="checkbox"/> Harmon of Massapequa, Inc. (Case No. 23-13414)
<input type="checkbox"/> Harmon of Melville, Inc. (Case No. 23-13415)	<input type="checkbox"/> Harmon of New Rochelle, Inc. (Case No. 23-13416)	<input type="checkbox"/> Harmon of Newton, Inc. (Case No. 23-13417)	<input type="checkbox"/> Harmon of Old Bridge, Inc. (Case No. 23-13418)
<input type="checkbox"/> Harmon of Plainview, Inc. (Case No. 23-13419)	<input type="checkbox"/> Harmon of Raritan, Inc. (Case No. 23-13420)	<input type="checkbox"/> Harmon of Rockaway, Inc. (Case No. 23-13421)	<input type="checkbox"/> Harmon of Shrewsbury, Inc. (Case No. 23-13422)
<input type="checkbox"/> Harmon of Totowa, Inc. (Case No. 23-13423)	<input type="checkbox"/> Harmon of Wayne, Inc. (Case No. 23-13424)	<input type="checkbox"/> Harmon of Westfield, Inc. (Case No. 23-13425)	<input type="checkbox"/> Harmon of Yonkers, Inc. (Case No. 23-13426)
<input type="checkbox"/> Harmon Stores, Inc. (Case No. 23-13427)	<input type="checkbox"/> Liberty Procurement Co. Inc. (Case No. 23-13428)	<input type="checkbox"/> Of a Kind, Inc. (Case No. 23-13429)	<input type="checkbox"/> One Kings Lane LLC (Case No. 23-13430)
<input type="checkbox"/> San Antonio Bed Bath & Beyond Inc.(Case No. 23-13431)	<input type="checkbox"/> Springfield Buy Buy Baby, Inc. (Case No. 23-13432)		

**Proof of Claim**

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents**; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

1. Who is the current creditor?	Ming Che Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?  [Redacted]  [Redacted]  [Redacted]  Contact phone [Redacted] Contact email [Redacted]	Where should payments to the creditor be sent? (if different)  _____  Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>1184</u>	Filed on <u>05/15/2013</u> MM / DD / YYYY
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
7. How much is the claim?	\$ <u>865,000</u> Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or creditcard. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. <u>Investment in the 2024 Notes due Aug 2024</u>



9. Is all or part of the claim secured?

☒ ☐

No  
Yes. The claim is secured by a lien on property.

**Nature of property:**

- ☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
☐ Motor vehicle  
☐ Other. Describe: \_\_\_\_\_

**Basis for perfection:** \_\_\_\_\_

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** \$ \_\_\_\_\_

**Amount of the claim that is secured:** \$ \_\_\_\_\_

**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_

**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %

- ☐ Fixed  
☐ Variable

10. Is this claim based on a lease?

☒ ☐

No  
Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?

☒ ☐

No  
Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☐ ☒

Yes. Check one:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☒ Up to \$3,350\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$15,150\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

**Amount entitled to priority**

\$ \_\_\_\_\_

\$ 3,350

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)? ☒ No ☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim. \$ \_\_\_\_\_

14. Is all or part of the claim being asserted as an administrative expense claim? ☒ No ☐ Yes. Indicate the amount of your claim for costs and expenses of administration of the estates pursuant to 503(b), other than section 503(b)(9), or 507(a)(2). Attach documentation supporting such claim. If yes, please indicate when this claim was incurred:

☐ On or prior to June 27, 2023: \$ \_\_\_\_\_

☐ After June 27, 2023: \$ \_\_\_\_\_

Total Administrative Expense Claim Amount: \$ \_\_\_\_\_

THIS SECTION SHOULD ONLY BE USED BY CLAIMANTS ASSERTING AN ADMINISTRATIVE EXPENSE CLAIM ARISING AGAINST ONE OF THE ABOVE DEBTORS FOR POSTPETITION ADMINISTRATIVE CLAIMS. THIS SECTION SHOULD NOT BE USED FOR ANY CLAIMS THAT ARE NOT OF A KIND ENTITLED TO PRIORITY IN ACCORDANCE WITH 11 U.S.C. §§ 503(B) AND 507(A)(2); PROVIDED, HOWEVER, THIS SECTION SHOULD NOT BE USED FOR CLAIMS PURSUANT TO SECTION 503(B)(9) OF THE BANKRUPTCY CODE.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.



06/17/2023

Signature

Name of the person who is completing and signing this claim:

Ming Che

Name

First name

Middle name

Last name

Title

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

Number Street

City

State

ZIP Code

Contact phone

Email

**Additional Noticing Addresses (if provided):**

**Additional Address 1**

Name: Ming Che

Address1: [REDACTED]

Address2:

Address3:

Address4:

City: [REDACTED]

State: [REDACTED]

Postal Code: [REDACTED]

Country:

Contact Phone: [REDACTED]

Contact Email: [REDACTED]

**Additional Address 2**

Name:

Address1:

Address2:

Address3:

Address4:

City:

State:

Postal Code:

Country:

Contact Phone:

Contact Email:

**Additional Supporting Documentation Provided**

☒ Yes  
☐ No

Attachment Filename:

ProofofClaimAttachment.pdf

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

6/17/2023

Bed Bath and Beyond, Inc. Claims Processing Center  
c/o Kroll Restructuring Administration LLC  
Grand Central Station, PO Box 4850  
New York, NY 10163-4850

Re: Proof of Claim - Bed Bath and Beyond, Inc. 2024 Bonds

Dear Sir/Madam,

I am writing to submit my proof of claim as a holder of Bed Bath and Beyond, Inc. 2024 Bonds (the "Bonds") in the ongoing bankruptcy proceedings of Bed Bath and Beyond, Inc. (the "Debtor"). I believe that I am entitled to assert a claim in accordance with the terms and conditions set forth in the relevant bond indenture and applicable bankruptcy laws.

1. Bondholder Information:

Name: Ming Che

Address: [REDACTED]

Bond Identification Number: [REDACTED]

Principal Amount: \$865,000

Date of Purchase: VARIOUS

2. Background Information: I purchased the Bed Bath and Beyond, Inc. 2024 Bonds in good faith and in accordance with the terms and conditions specified in the bond indenture.

The Bonds were issued by Bed Bath and Beyond, Inc., and I acquired them through my individual and Roth IRA brokerage accounts at various dates. I have held these Bonds continuously since the dates of acquisition, never selling, and I have complied with all requirements outlined in the bond indenture.

3. Nature of the Claim: I assert a claim against Bed Bath and Beyond, Inc. as a holder of the 2024 Bonds, based on the following grounds:

a) Default on Payment Obligations: Bed Bath and Beyond, Inc. has failed to meet its payment obligations under the terms of the bond indenture. Specifically, the Debtor has defaulted on the payment of principal and/or interest due on the Bonds as stipulated in the indenture agreement.



b) Bankruptcy Filing: Bed Bath and Beyond, Inc. has filed for bankruptcy protection under Chapter 11 of the United States Bankruptcy Code. This bankruptcy filing constitutes a triggering event for the assertion of claims by bondholders.

4. Relief Sought: In light of the aforementioned default and the ongoing bankruptcy proceedings, I am seeking the following relief as a holder of the 2024 Bonds:

a) Recognition of Claim: I request that my claim as a holder of the Bed Bath and Beyond, Inc. 2024 Bonds be recognized by the bankruptcy court overseeing the proceedings.

b) Distribution of Proceeds: I request to be included in any distribution of proceeds resulting from the bankruptcy proceedings, in accordance with the priority and pro rata provisions set forth in the applicable bankruptcy laws and any approved reorganization plan.

c) Interest and Damages: I further request the payment of any outstanding principal and accrued interest due on the 2024 Bonds, as well as any other damages or relief that may be deemed appropriate under the circumstances.

5. Supporting Documentation: I have enclosed the following documents in support of my claim:

- Copy of the Bed Bath and Beyond, Inc. 2024 Bond certificate(s) or other evidence of ownership.
- Proof of purchase or acquisition of the Bonds.
- Any other relevant documentation that may support my claim, including correspondence with the Debtor or its representatives.

Please confirm receipt of this proof of claim and provide me with any additional information or documentation required to support my claim.

I appreciate your attention to this matter and I trust that the bankruptcy proceedings will be conducted fairly and efficiently. Should you require any further information or have any questions regarding my claim, please do not hesitate to contact me using the contact information provided above.

Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ming Che', with a stylized flourish at the end.

Ming Che

[illegible]



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Claim Electronically Submitted on (UTC) : 2023-06-17T18:07:13.581Z

Submitted by: Ming Che

